

DISTRICT COURT, COUNTY OF GRAND STATE OF COLORADO Court Address: Grand County Judicial Center PO Box 192/307 Moffat Avenue Hot Sulphur Springs, CO 80451 Phone Number: 970-725-3357	DATE FILED: January 22, 2024 11:18 AM CASE NUMBER: 2000CV2004
IN THE MATTER OF COLUMBINE LAKE WATER DISTRICT	
	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case No.: 2000CV2004 Div.: 1 Ctrm.: 1
ORDER FOR DISSOLUTION ELECTION	

THIS MATTER CAME BEFORE THE COURT on the Petition for Dissolution (“Petition”) filed by the Board of Directors of the Columbine Lake Water District (“District”), pursuant to the provisions of Part 7, Article 1, Title 32, C.R.S., requesting an order calling a dissolution election within the District pursuant to Section 32-1-704(3)(a), C.R.S. The hearing on the Petition was held on January 22, 2024, and the Court took judicial notice of the file. The Court having considered the Petition, the file in this case, the evidence produced at the hearing, and being fully advised in the premises, hereby Finds, Orders and Decrees as follows:

FINDINGS

1. The Columbine Lake Water and Sanitation District was organized pursuant to an Order and Decree of this Court entered on September 10, 1970 to provide water and wastewater service to the residents and property located within its boundaries. The District currently provides water service pursuant to a 1994 Intergovernmental Agreement between Columbine Lake Water and Sanitation District and Three Lakes Water and Sanitation District (“Three Lakes”). In 1980 Columbine Lake Water and Sanitation District sold its sewer lines to Three Lakes and became a provider of water only. The District name was formally changed to Columbine Lake Water District in December, 1997. The Columbine Lake Water District now services 460 residents. The operation and maintenance of the water system as well as administrative duties are contracted out to Three Lakes.

2. In accordance with Section 32-1-701(1), C.R.S., on November 20, 2023, the Board of Directors (“Board”) of the District adopted a Resolution determining that it was in the best interest of the District to dissolve in accordance with the terms of a Unification/Dissolution Agreement entered into by and between the District and Three Lakes that sets forth a plan for: (i) dissolution of the District and payment of its financial obligations; (ii) the transfer of the District’s assets, functions and service responsibilities to Three Lakes; and (iii) the continuation of water service to the District.

3. On December 8, 2023, the District filed a Petition for Dissolution with this Court.

4. Notice of the filing of the Petition and of the date, time, and place of the hearing thereon was published in the *Middle Park Times*, a newspaper of general circulation with the District, one time on December 28, 2023, as required by Section 32-1-703(1), C.R.S., and a copy of said Notice was mailed on December 20, 2023, by US Mail, first class, postage prepaid to the Board of County Commissioners of Grand County, Colorado and to the governing body of each municipality having territory within three (3) miles of the District's boundaries, pursuant to Section 32-1-703(1)(3), C.R.S.

5. The Court further finds that: (a) the District is located entirely within Grand County, Colorado; (b) the Dissolution/Unification Agreement provides for payment in full of all District financial obligations either prior to its dissolution or immediately thereafter by Three Lakes with funds provided by the District, if dissolution is approved by the eligible electors of the District; (c) there are adequate provisions for the continuation of water service to Three Lakes pursuant to a Dissolution/Unification Agreement entered into between the District and Three Lakes; and (d) the Petition was filed in accordance with and meets the requirements of Part 7 of the Special District Act and in particular Section 32-1-702(4), C.R.S.

6. The Dissolution/Unification Agreement specifically provides that before the District can be dissolved, the eligible electors of the District must vote in favor of the District's dissolution.

ORDER

NOW THEREFORE, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Pursuant to Section 32-1-704(3)(a), C.R.S., the question of the dissolution of the District shall be submitted to the eligible electors of the District at an election to be held for that purpose in accordance with Article 13.5, Title 1, C.R.S. on Tuesday, April 9, 2024, between the hours of 7:00 a.m. and 7:00 p.m. Such election shall be held as a mail ballot election.

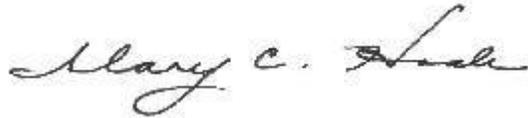
2. It is further ordered that Peggy Rupp of Collins Cole Flynn Winn & Ulmer, PLLC, shall serve as the Designated Election Official on behalf of the Columbine Lake Water District, with authority and direction to proceed, in such capacity, with any action necessary or appropriate to effectuate the provisions of this Order and all constitutional and statutory provisions governing the conduct of the election, and in particular, Article 13.5, Title 1, C.R.S. This authority shall include, but is not limited to, the authority to appoint Election Judges and a Canvass Board, the printing of ballots, obtaining all necessary election supplies, and publication of the Notice of Election, which notice shall include a summary of the Dissolution/Unification Agreement and the place where a member of the public may inspect or obtain a copy of the complete Dissolution/Unification Agreement.

3. The ballot question to be submitted to the eligible electors of Columbine Lake Water District shall be substantially in the form attached hereto as Exhibit A and incorporated herein by this reference.

4. The Columbine Lake Water District shall hold and conduct such election, and the Canvass Board for the Columbine Lake Water District, as appointed by the Designated Election Official, shall promptly certify the election returns of the election to this Court.

DONE IN OPEN COURT this 22nd day of January, 2024.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Mary C. Cook".

By _____
District Court Judge

EXHIBIT A

COLUMBINE LAKE WATER DISTRICT BALLOT QUESTION A:

SHALL THE COLUMBINE LAKE WATER DISTRICT BE DISSOLVED IN ACCORDANCE WITH THE PETITION FOR DISSOLUTION FILED ON DECEMBER 8, 2023 WITH THE GRAND COUNTY DISTRICT COURT IN CIVIL ACTION NO. 2000CV2004 AND IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THE DISSOLUTION/UNIFICATION AGREEMENT FILED WITH SAID PETITION?

FOR DISSOLUTION

AGAINST DISSOLUTION